

IN RE: PETITION FOR ZONING VARIANCE
S/S Allegheny Avenue, 193' E
of Washington Avenue
(29 Allegheny Avenue)
9th Election District
4th Councilmanic District
Anne M. Fischer
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit seven (7) parking spaces in lieu of the required 12 parking spaces, to allow for proposed improvements to an existing building, in accordance with Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by Counsel, William E. Hammond, Esquire. Also appearing on behalf of the Petitioner was Mary Gamberdella, Lessee of the subject property. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of June, 1988 that the Petition for Zoning Variance to permit seven (7) parking spaces in lieu of the required 12 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

June 15, 1988



William E. Hammond, Esquire
107 Main Street
Reisterstown, Maryland 21136

RE: PETITION FOR ZONING VARIANCE
S/S Allegheny Avenue, 193' E of Washington Avenue
(29 Allegheny Avenue)
9th Election District; 4th Councilmanic District
Case No. 88-491-A

Dear Mr. Hammond:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted subject to the restriction noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

Enclosure

cc: Ms. Mary Gamberdella
Gamberdella's
29 Allegheny Avenue, Towson, Md. 21204

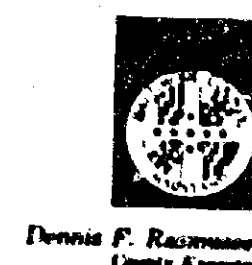
People's Counsel

File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

November 7, 1988



Howard C. Harclerode
KBD Engineering Company
1 Country Club Lane
Phoenix, MD 21131

RE: Building Permit 8C-399-88
29 Allegheny Avenue
9th Election District

Dear Mr. Harclerode:

As per our telephone conversation on this date, I can advise you that nine (9) copies of the site plan originally filed with the above application must be revised to reflect the parking data as it relates to the presently proposed application.

I am also enclosing a copy of Mr. Richards's March 16, 1988 comments, which are still valid.

If you have any questions, you may contact me at 807-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

JED:scj

Enclosure

PETITION FOR ZONING VARIANCE #351

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2f, to permit 2 parking spaces in lieu of the required 12 parking spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Lot as owned by Petitioner is too small to be able to lay out the required number of parking spaces in the unimproved area of said lot and without the requested variance the proposed improvements to the existing structure cannot be made.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City and State

Signature

Attorney for Petitioner:

Signature

(Type or Print Name)

(Type or Print Name)

Address

Address

City and State

City and State

Attorney's Telephone No. 833-1322

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Address

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BEING all and the same lot or parcel of ground which by Deed dated June 16, 1965 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4476 folio 015, was granted and conveyed by Ethel Stow Chester unto Howard Meredith Bryant and Zoe S. Bryant, his wife. The said Zoe S. Bryant departed this life January 18, 1978 whereby title became vested in the Grantor by right of survivorship.

#52.20

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations, will hold a public hearing on the proposed amended hearing on R-600 of the County Ordinance at 11 N. Calverton, Chesapeake Avenue in Towson, Maryland, as follows:

Petition: The Zoning Variance
Case No. 98-00075-A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-U-V-W-X-Y-Z
C. Campbell Avenue, 193
S. Waverly Avenue
E. Washington Avenue
OJ Alphegney Avenue
NY Election District
City Councilman's District Number

Alice M. Fisher
Hearing Date: Wednesday,
May 6, 1998 at 1:00 A.M.
Variance to permit parking
in lieu of the required 12
parking spaces.

In the event that this Petition is granted, the zoning ordinance being amended by the City Council may be used without the thirty (30) day appeal period. The Zoning Commission will convene, however, to hear request for a stay of the issuance of said variance until the final decision is made. During this period for good cause shown, petitioners are permitted to write and received in the office of the date set for the hearing above or presented at the hearing.

J. ROBERT HARRIS
Zoning Commissioner of
Baltimore County

MAY 15 1998

District: 9th Date of Posting: May 22, 1988
 Posted for: Variance
 Petitioner: Ann M. Fischer
 Location of property: 515 Allegheny Avenue, 1937 E. Washington Ave
(29 Allegheny Avenue)
 Location of Signs: in front of 29 Allegheny Avenue
 Remarks: _____
 Posted by: E.J. Arata Date of return: May 22, 1988
 Signature
 Number of Signs: 1

S. Zehe Oliver

Publisher

NOTICE OF HEARING

The Zoning Commission of Baltimore County is holding a public hearing on the Zoning Act and Regulations of Baltimore County will be held at the County Office Building, 1000 North Avenue, Room 1000, on the property identified hereto in Room 1000 of the County Office Building, Baltimore County, Maryland, at 10:00 a.m. on Tuesday, May 14, 1980, at the County Office Building in Towson, Maryland as follows:

Case No. 88-391-A
S/S Zoning Variance
555 Alghemey Avenue, 197 S
Avenue, Baltimore County
MD 21218
(20 Alghemey)
Zoning District
C-2
and Councilman's District
Pentecostville
Anne M. Fischer
Hearing Date: Wednesday,
May 14, 1980 at 10:00 a.m.
Variance to permit 7 parking
spaces in lots of the property.

In the event that this Petition is granted, the variance will be issued within the thirty (30) day appeal period. The Zoning Commission will maintain any request for a stay of the issuance of said petition pending appeal for a period of 30 days if cause shown. Such request must be in writing and received by the County Office Building at the hearing set above or presented at the hearing.

1 ROBERT HAINES
Zoning Commissioner of
Baltimore County

5/24/84 May 19, 1980

\$33.75

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:gs
cc: Mr. Fletcher
William E. Hammond, Esq.
File

cc: Anne M. Fischer
William E. Morrow, Esq.
File

Enclosures

Total required parking spaces - 12
Total parking spaces available - 7
Additional required spaces 5

PETITIONER'S
 INDEX 4

SKIP AUGUST 1996

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Must include how to
 function the

Must be SPECIFIED!
 NO ORD CUTTER
 NO ORD CARTRIDGE

more
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 is correct (14)
Shp (W)

K
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KBD ENGINEERING COMPANY
Process - Mechanical - Structural - Electrical

ONE COUNTRY CLUB LANE • PHOENIX, MARYLAND 21131
301-592-2974

March 17, 1989

Mr. Carl Richards
Baltimore County
Zoning Commission
Office of Planning & Zoning
Towson, Maryland 21204

Ref: 29 Allegheny Avenue
Building Permit No. 100955
Control Number C-399-88

Dear Mr. Richards:

Attached to this cover letter are two copies of a revised site plan showing the addition of parking calculations and citation of zoning variance approval for the subject property. The revised site plans are provided per your request for the permanent record associated with the building permit issued. Thank you for your cooperation in this matter.

Very truly yours,
H.C. Skip Harclerode
H. C. "Skip" Harclerode II, P.E.
President

John A. 88-491-A 3/28
Compas Calculations
Flow plans if include in
comm. bldg. permit file - Carl

88-491-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
8th day of April, 1988

Petitioner: Anne M. Fischer
Petitioner's Attorney: William E. Hammond

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner Date: May 20, 1988
FROM: P. David Fields, Director
Office of Planning and Zoning
SUBJECT: Zoning Petition 88-491-A, 88-527-A, 88-534-A

There are no comprehensive planning factors requiring comment on this petition.

PDF/jat
cc: Shirley Hess, People's Counsel
J. G. Hoswell
Zoning Office

RECEIVED
MAY 24 1988
ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 17, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

William E. Hammond, Esquire
107 Main Street
Reisterstown, Maryland 21136

RE: Item No. 351 - Case No. 88-491-A
Petitioner: Anne M. Fischer
Petition for Zoning Variance

Dear Mr. Hammond:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: Van Reuth & Weidner, Inc.
Civil Engineers & Surveyors
5509 York Road
Baltimore, Maryland 21212

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4600

Paul H. Reincke
Chief
J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

April 14, 1988

Re: Property Owner: Anne M. Fischer

Location: S/S Allegheny Avenue, 193' E. Washington Avenue

Item No.: 351

Zoning Agenda: Meeting of 4/5/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Noted and Approved: _____
Planning Group
Special Inspection Division

/s/

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

May 10, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 348, 349, 350, 351, 352, 353, 355, 356 and 357.

Very truly yours,

Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RF/pml-b

IN RE: BEFORE THE ZONING COMMISSIONER
PETITION FOR ZONING VARIANCE FOR
ANNE M. FISCHER, Petitioner BALTIMORE COUNTY
Case No. 88-491-A

WITNESS SUBPOENA

Mr. Commissioner:

Please subpoena the following:

H. C. "Skip" Harclerode II, P.E.
KBD Engineering Company
One Country Club Lane
Phoenix, Maryland 21131

to testify for the Petitioner, Anne M. Fischer, at the hearing of this matter on Wednesday, June 8, 1988 at 11:00 A.M. at Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204.

William E. Hammond, Attorney
for Petitioner
107 Main Street
Reisterstown, Maryland 21136
833-1522

Sheriff/Private Process Server:

Please serve the within Subpoena for the above named party in accordance with Rule IV C. of the Rules of Practice and Procedure of the Zoning Commissioner of Baltimore County.

J. Robert Haines, Zoning Commissioner

IN RE: BEFORE THE ZONING COMMISSIONER
PETITION FOR ZONING VARIANCE FOR
ANNE M. FISCHER, Petitioner BALTIMORE COUNTY
Case No. 88-491-A

WITNESS SUBPOENA

Mr. Commissioner:

Please subpoena the following:

MARY GAMBERELLA
29 Allegheny Avenue
Towson, Maryland 21204

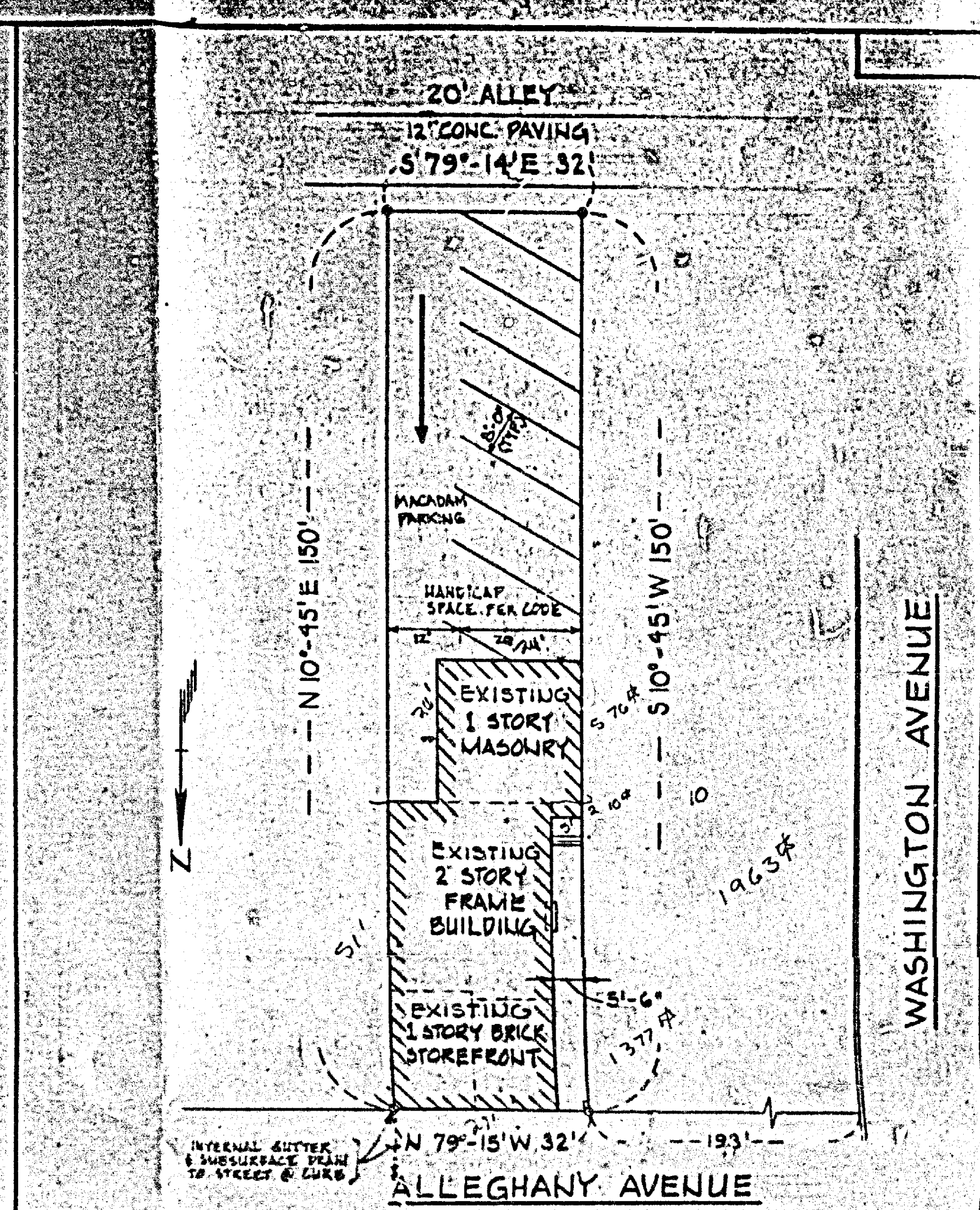
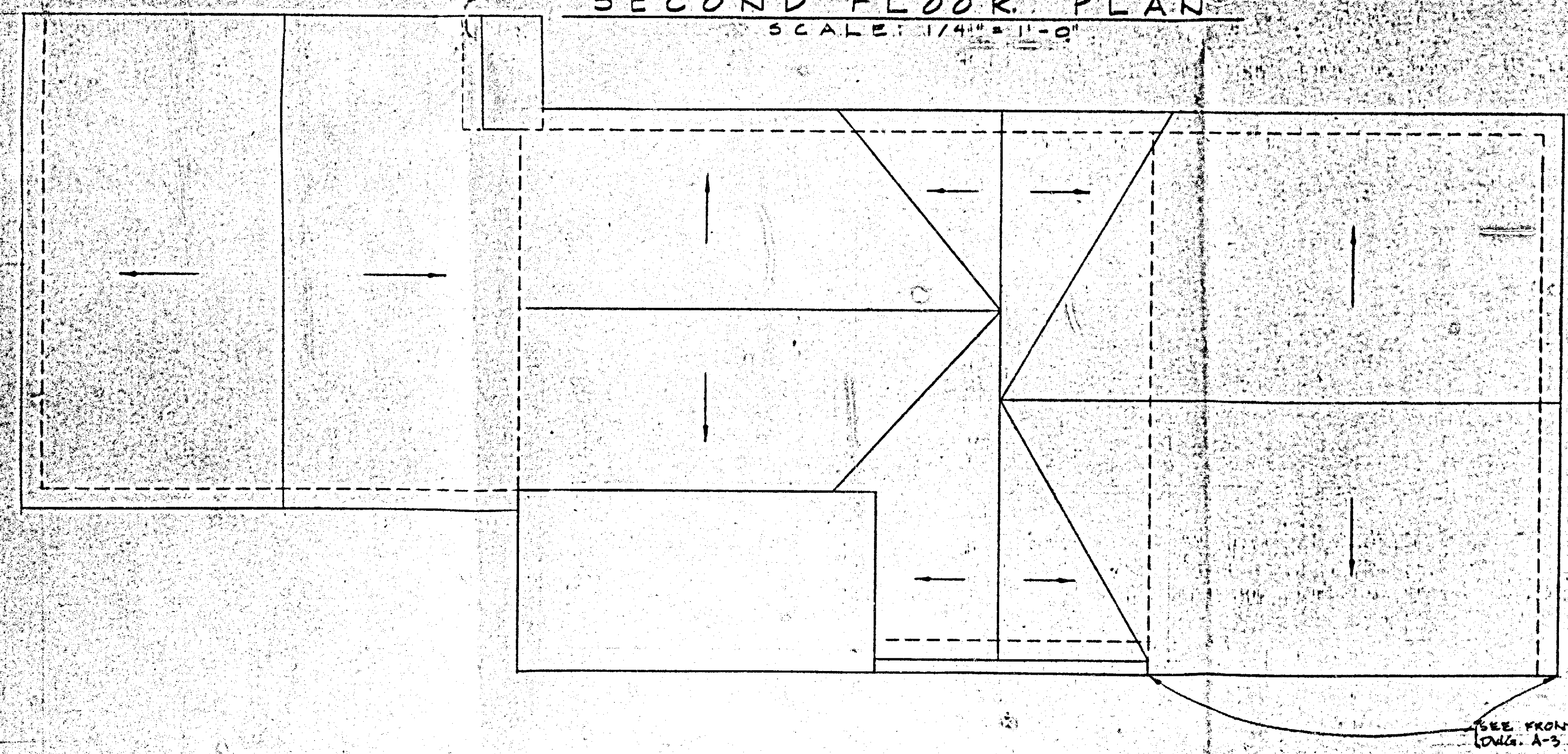
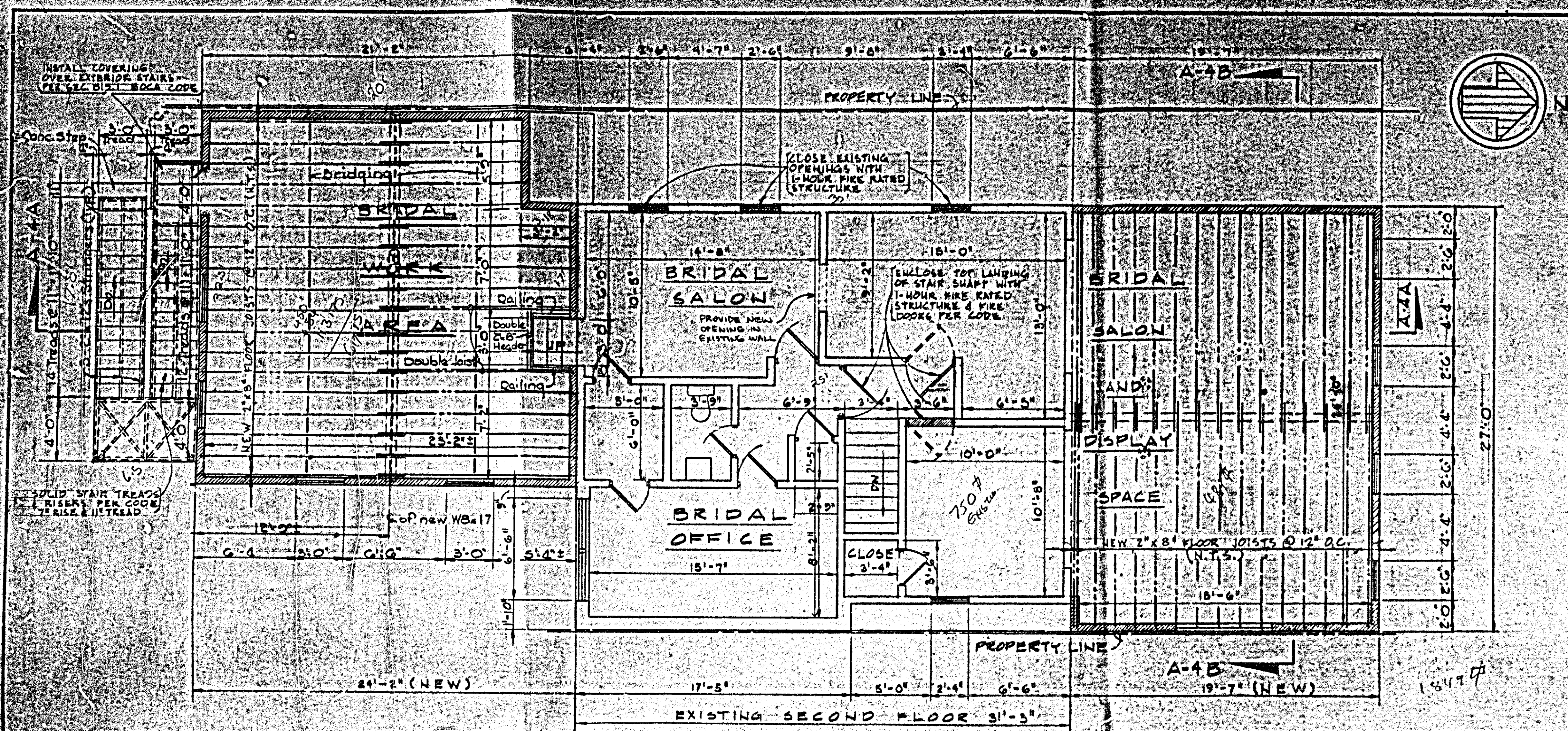
to testify for the Petitioner, Anne M. Fischer, at the hearing of this matter on Wednesday, June 8, 1988 at 11:00 A.M. at Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204.

William E. Hammond, Attorney
for Petitioner
107 Main Street
Reisterstown, Maryland 21136
833-1522

Sheriff/Private Process Server:

Please serve the within Subpoena for the above named party in accordance with Rule IV C. of the Rules of Practice and Procedure of the Zoning Commissioner of Baltimore County.

J. Robert Haines, Zoning Commissioner



PARKING SPACE CALCULATIONS FOR 23 ALLEGHENY AVENUE

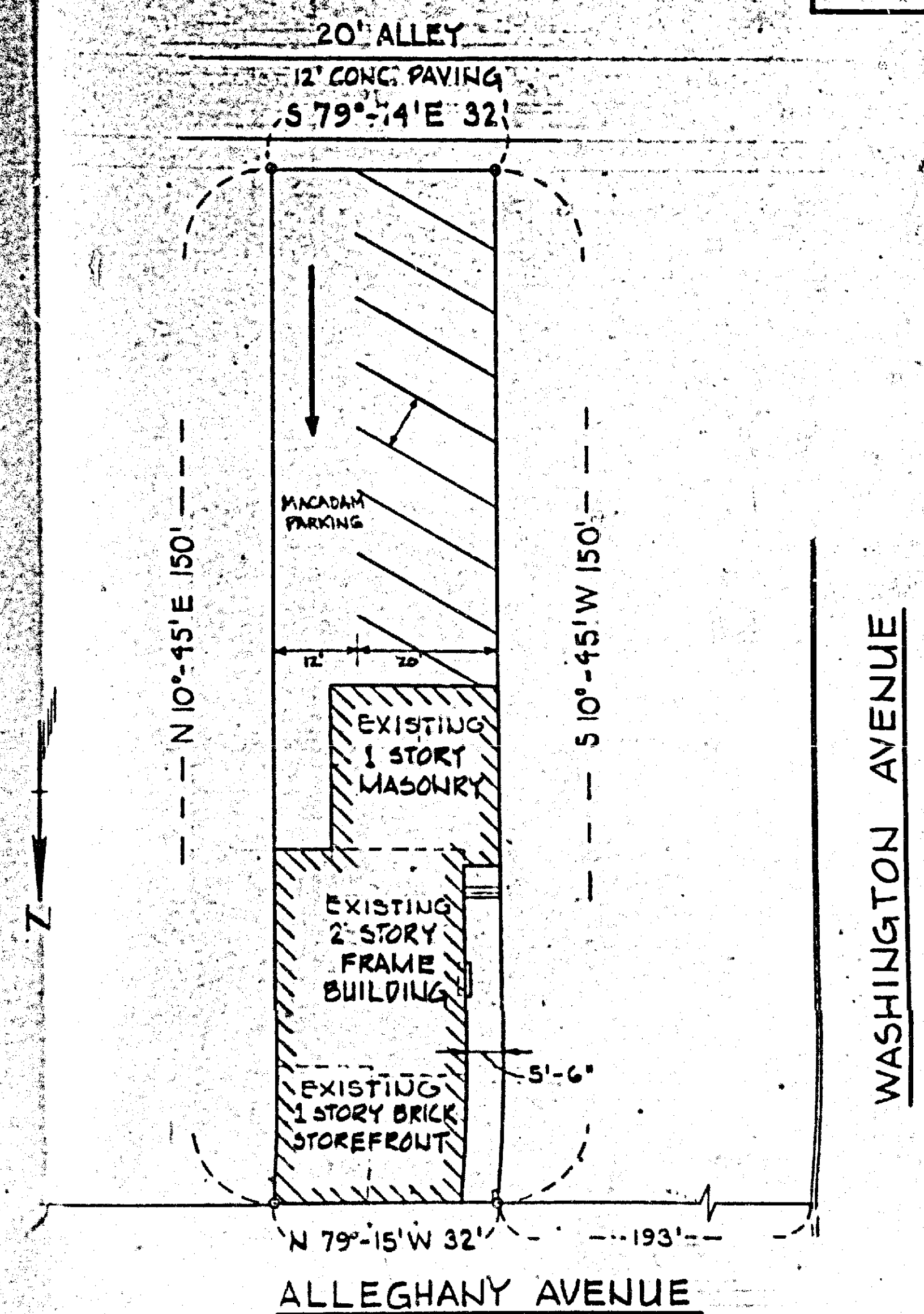
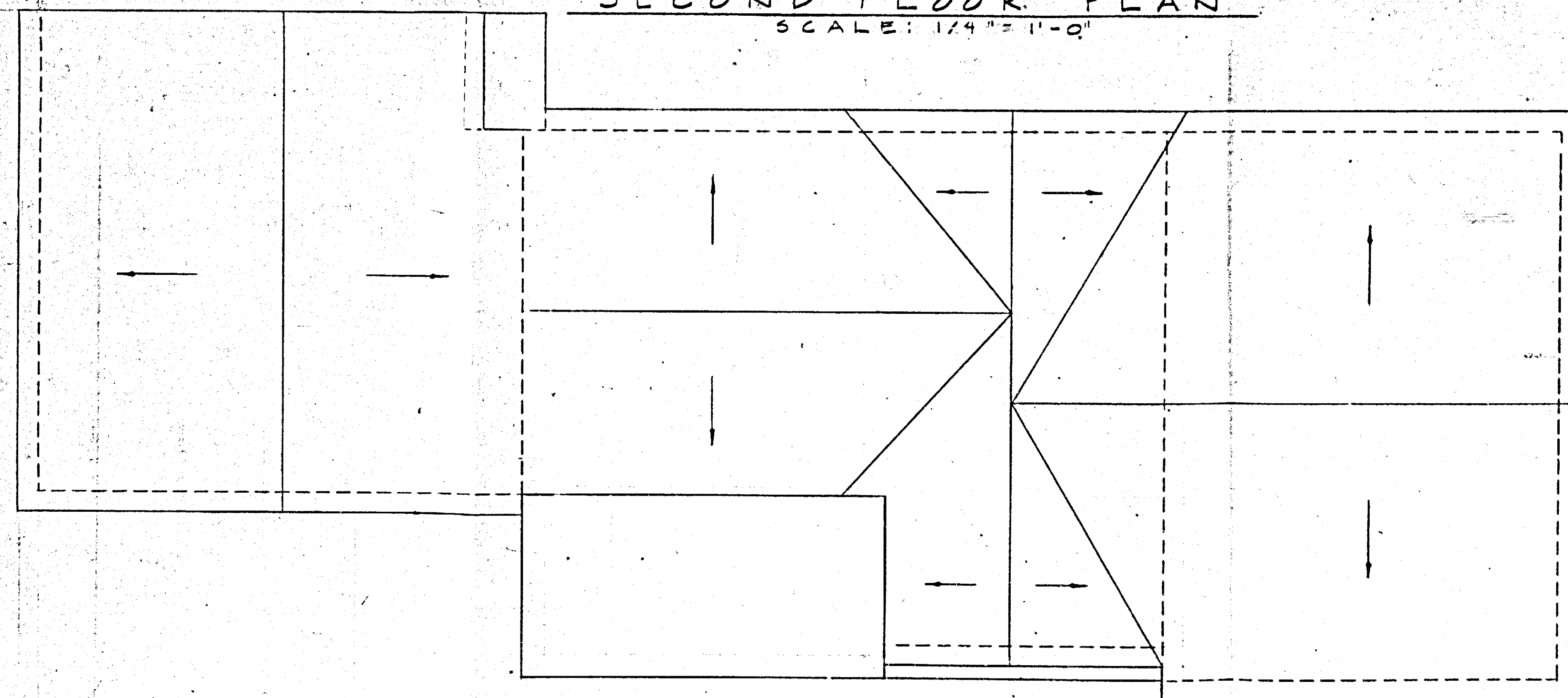
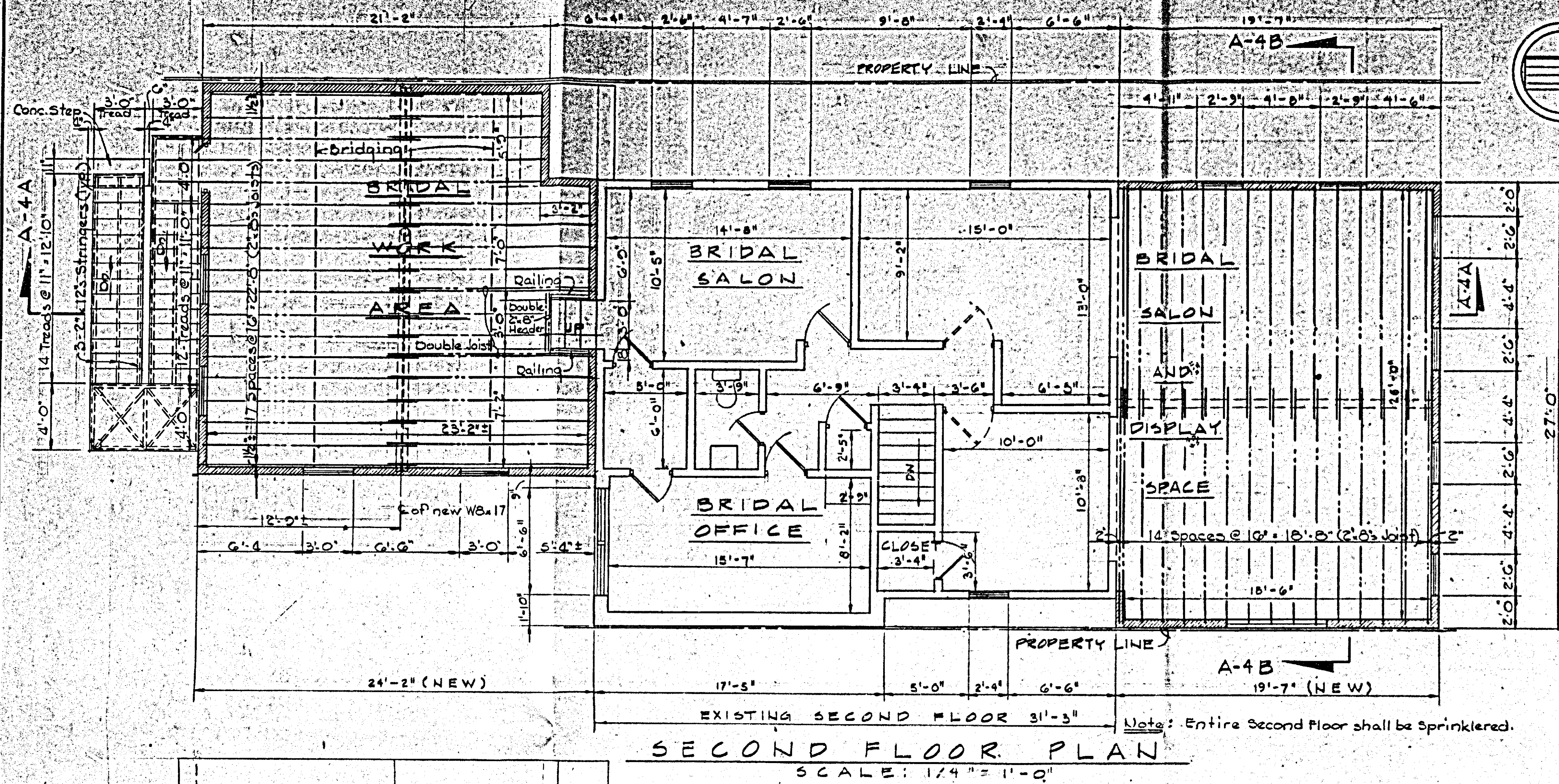
FIRST FLOOR	
Retail space	- Purse Shop (231.7 sq. ft.) Clothes Exchange (405.17 sq. ft.) Bridal Salon (457.77 sq. ft.)
Total area of	1,094.64 sq. ft. - requires 4 spaces
Non-retail space	- Beauty Salon (530.59 sq. ft.)
Total area of	530.59 sq. ft. - requires 2 spaces
SECOND FLOOR	
Retail space	- Bridal Salon, existing (760.31 sq. ft.) Bridal Salon, new (987.9 sq. ft.)
Total area of	1,748.21 sq. ft. - requires 6 spaces
Total required parking spaces	- 12
Total parking spaces available	- 11.73
Additional required spaces	- 0.27

Criteria for parking space calculations:
All retail space - 1 parking space per 325 sq. ft. of space
Non-retail space
First floor - 1 parking space per 300 sq. ft. of space
Second floor - 1 parking space per 500 sq. ft. of space

Case 88-491-A granted 6/15/88 - variance to permit 7 in lieu of the required 12 parking spaces

ALTERATIONS-23 ALLEGHENY

SCALE AS SHOWN	APPROVED BY H.C. HARTLEIGH, P.E.	DRAWN BY T.T.A.
DATE 11/25/87	PLANS	
KBD ENGINEERING CO.		A-2



ALTERATIONS - 20 ALLEGHENY		
SCALE 43 SHOW	APPROVED BY	DRAWN BY T.T.A.
DATE: 11/25/87	H.C. HARCLE RODE, P.E.	
PLANS		
KBD ENGINEERING CO.	DRAWING NUMBER	
	A-2	